



## WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

**2005 Assembly Bill 536**

**Assembly Amendments 2 and 3**

*Memo published: September 29, 2005*

*Contact: Don Dyke, Chief of Legal Services (266-0292)*

*Assembly Amendment 2* exempts 1) state vital records and 2) certificates of military discharge or release from the bill's restrictions on including Social Security numbers in recorded documents.

*Assembly Amendment 3:*

- Applies the recording restrictions in the proposal to the entire Social Security number, not just the numbers preceding the last four digits, and makes changes in related provisions to reflect this revision.
- Revises the damages provision to eliminate reference to liquidated damages ("damages of not more than \$5,000"). Thus, as amended, the proposal permits a person whose Social Security number appears on a recorded document to recover from the instrument drafter any actual damages resulting from the document being recorded. (The amendment also eliminates as redundant the provision in the bill that a person may not be held liable for actual damages unless the harmed individual paid or incurred costs as a result of the instrument being recorded.)
- Specifically authorizes the Register of Deeds to remove or obscure Social Security numbers on an instrument before the instrument is recorded.

**Legislative History**

Assembly Amendment 2 was offered by Representatives Louis Molepske and Mary Williams; Assembly Amendment 3 was offered by Representative Louis Molepske. Both amendments were recommended for adoption by the Assembly Committee on Judiciary by a vote of Ayes, 7; Noes, 0.

DD:wu